

Magistrate Judge Theiler



09-MJ-00595-CMP

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AT SEATTLE
CLERK U.S. DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
DEPUTY

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,
Plaintiff,

v.

COLTON HARRIS-MOORE,
Defendant.

NO. MJ09-595

COMPLAINT for VIOLATION

U.S.C. Title 18, Section 2312

BEFORE The Honorable Mary Alice Theiler, United States Magistrate Judge, Seattle, Washington.

The undersigned Complainant, being duly sworn, states:

COUNT ONE
(Interstate Transportation of Stolen Property)

Between on or about September 29, 2009, and October 1, 2009, within the Western District of Washington, COLTON HARRIS-MOORE did unlawfully transport a stolen aircraft, that is, one 2005 Cessna T182T, bearing tail number N2183P and serial number T18208470, from the State of Idaho to the State of Washington, knowing the same to be stolen.

All in violation of Title 18, United States Code, Section 2312.

And the Complainant states that this Complaint is based on the following information:

I, LINWOOD E. SMITH III, being first duly sworn on oath, depose and say:

AUSA W. Redkey

1 1. I am a Special Agent of the Federal Bureau of Investigation (FBI) currently
2 assigned to the Bellingham, Washington, Resident Agency of the Seattle, Washington,
3 Field Office. I have been a Special Agent of the FBI for over ten years and am an
4 investigative and law enforcement officer of the United States within the meaning of
5 Title 18, United States Code, Section 2510(7). My duties as a Special Agent include the
6 full-time investigation of a wide range of federal offenses, including investigations
7 relating to the interstate transportation of stolen motor vehicles.

8 **INVESTIGATIVE AUTHORITY**

9 2. As a Special Agent of the FBI, I am authorized to investigate crimes
10 involving the interstate transportation of stolen motor vehicles, including aircraft,
11 pursuant to Title 18, United States Code, Section 2312, and other federal laws.

12 3. The statements contained in this affidavit are based, in part, on facts and
13 circumstances relating to my investigation of COLTON HARRIS-MOORE, my
14 experiences as a Special Agents of the FBI, and information provided to me by other
15 individuals named herein. However, because this affidavit is submitted for the limited
16 purpose of setting forth facts to establish probable cause that COLTON HARRIS-
17 MOORE is responsible for the theft of at least one aircraft, which he then transported in
18 interstate commerce from Idaho to Washington, I have not included each and every fact
19 known that relates to my investigation of COLTON HARRIS-MOORE.

20 4. During this investigation, I have relied upon information obtained by
21 various individuals employed by other law enforcement agencies in the state of
22 Washington, statements taken from victims and witnesses, and information obtained from
23 current and former associates of COLTON HARRIS-MOORE. Much of this information
24 has been verified through law enforcement surveillance, physical evidence, and public
25 records.

26 **RELEVANT FACTS AND CIRCUMSTANCES**

27 5. At an unknown time on or about April 22, 2008, COLTON HARRIS-
28 MOORE, then a juvenile, escaped from a Renton, Washington, group home, where he

1 was ordered to stay after pleading guilty to, and being convicted of, three felony charges
2 in Island County, Washington. HARRIS-MOORE had previously been serving his
3 sentence in a more secure correctional facility.

4 6. As a result of this escape, on March 12, 2009, the Island County Sheriff's
5 Office obtained a felony warrant for the arrest of HARRIS-MOORE, still a juvenile,
6 charging him as an adult with "Flight to Avoid Prosecution."

7 7. On October 2, 2009, the San Juan County Sheriff's Office obtained a
8 separate felony warrant HARRIS-MOORE's arrest, charging him with "Forced Entry
9 Burglary / Burglary 2nd Degree."

10 8. Since HARRIS-MOORE's escape from the group home in 2008,
11 approximately 65 investigations have been initiated into crimes which have him listed as
12 the primary suspect. These include residential and commercial burglaries, vehicle prowls,
13 vehicle thefts, assaults on law enforcement officials and, of most import to this warrant,
14 aircraft thefts.

15 9. The aforementioned investigations in which HARRIS-MOORE is
16 considered a suspect involve crimes committed in multiple jurisdictions, including Island
17 County, Washington; San Juan County, Washington; Whatcom County, Washington;
18 Snohomish County, Washington; Yakima Tribal Land in Washington; Boundary County,
19 Idaho; and several locations in British Columbia, Canada.

20 10. While still a juvenile, and before his escape from the group home in 2008,
21 HARRIS-MOORE developed a reputation for committing crimes while barefoot.

22 11. From September 12, 2009, to September 29, 2009, a string of burglaries and
23 vehicle thefts believed to have been committed by HARRIS-MOORE occurred. These
24 crimes culminated with the theft of a Cessna airplane from Bonner's Ferry, Idaho, which
25 occurred on or about September 29, 2009. Bare footprints were found at the airport in
26 Bonner's Ferry. The aircraft is more particularly described as a 2005 Cessna T182T,
27 bearing tail number N2183P and serial number T18208470, valued at about \$340,000.00.
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1 12. Of particular interest to this investigation, on or about September 24, 2009,
2 and during the aforementioned string of burglaries and vehicle thefts, a firearm was stolen
3 from an airplane hangar in Creston, British Columbia, Canada.

4 13. On October 1, 2009, the Cessna airplane which was stolen from Bonner's
5 Ferry, Idaho, was recovered, crashed in a rural area outside of Granite Falls, Washington.
6 Bare footprints were found near the crash site by law enforcement trackers.

7 14. The next day, a makeshift campsite was found near Granite Falls,
8 Washington, approximately 3.6 miles from the Cessna airplane crash site. Items
9 recovered at this campsite included two key bank bags that were stolen from an Ace
10 Hardware store on Orcas Island on or about September 4, 2009, in which HARRIS-
11 MOORE is a leading suspect; the firearm that was stolen from Creston, British Columbia,
12 Canada, on or about September 24, 2009; and a mirror that was apparently stolen during a
13 residential burglary. Bare footprints consistent with those left by HARRIS-MOORE at
14 other crime scenes were also discovered near the campsite.

15 15. The aforementioned mirror was processed for fingerprints, and on October
16 14, 2009, the Washington State Patrol's crime lab was able to identify a latent fingerprint
17 on the mirror as matching a known fingerprint belonging to COLTON HARRIS-
18 MOORE. More importantly, the crime lab determined to a scientific certainty that DNA
19 recovered from the airplane matches HARRIS-MOORE's known DNA. HARRIS-
20 MOORE has no known legitimate connection to the airplane or its owner that would
21 explain the presence of his DNA.

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CONCLUSION

16. Based on the foregoing, I submit that there is probable cause to believe that COLTON HARRIS-MOORE did unlawfully transport a stolen aircraft from the State of Idaho to the State of Washington, in violation of Title 18, United States Code, Section 2312.


LINWOOD E. SMITH III, Complainant
Special Agent
Federal Bureau of Investigation

Based on the Complaint and Affidavit sworn to before me, and subscribed in my presence, the Court hereby finds that there is probable cause to believe the defendant committed the offense set forth in the Complaint.

Dated this 11th day of December, 2009.


MARY ALICE THEILER
United States Magistrate Judge